

## **Part 20**

### **Youth Character Organization Restricted Account Act**

#### **35A-8-2001 Title.**

This part is known as the "Youth Character Organization Restricted Account Act."

Enacted by Chapter 338, 2013 General Session

#### **35A-8-2002 Definitions.**

As used in this part:

- (1) "Account" means the Youth Character Organization Restricted Account created in Section 35A-8-2003.
- (2) "Qualified youth character organization council" means a youth character organization council in the state that the division determines to be eligible to receive a distribution under Section 35A-8-2004.
- (3) "Youth character organization" means an organization that is chartered under 36 U.S.C. Sec. 80301.
- (4) "Youth character organization council" means a council that:
  - (a) is chartered by a youth character organization;
  - (b) is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code; and
  - (c) covers a specified geographic area that includes a geographic area within the state.
- (5) "Youth member" means a person who:
  - (a) has a valid membership in a youth character organization;
  - (b) is affiliated with a particular youth character organization council; and
  - (c) is 18 years of age or younger.

Enacted by Chapter 338, 2013 General Session

#### **35A-8-2003 Youth Character Organization Restricted Account -- Creation -- Interest.**

- (1) There is created within the General Fund a restricted account known as the "Youth Character Organization Restricted Account."
- (2) The account shall be funded by:
  - (a) contributions deposited into the account in accordance with Section 59-10-1317;
  - (b) private contributions;
  - (c) donations or grants from public or private entities; and
  - (d) interest described in Subsection (3).
- (3)
  - (a) The account shall earn interest.
  - (b) Interest earned on the account shall be deposited into the account.
- (4) The division shall distribute money appropriated by the Legislature to the division from the restricted account as provided in Section 35A-8-2004.

Enacted by Chapter 338, 2013 General Session

#### **35A-8-2004 Division to distribute amounts deposited into Youth Character Organization Restricted Account -- Procedures for distribution.**

- (1) Subject to the other provisions of this section, the division shall distribute amounts deposited into the Youth Character Organization Restricted Account in accordance with Section 35A-8-2003 to one or more qualified youth character organization councils in the state.
- (2) A qualified youth character organization that receives a distribution from the division under this section shall expend the distribution only to accomplish the purposes described in 36 U.S.C. Sec. 80302.
- (3) An organization that seeks to receive a distribution from the division under this section shall, on or before May 1 of each year, file an application with the division:
  - (a) on a form prescribed by the division;
  - (b) that contains information required by the division to establish that the organization is a youth character organization council in the state; and
  - (c) that contains any other information prescribed by the commission.
- (4)
  - (a) The division shall, on or before June 1 of each year, determine whether an organization that files an application with the division under Subsection (3) is a youth character organization council in the state.
  - (b)
    - (i) If the division determines that an organization that files an application with the division under Subsection (3) is a youth character organization council, the division shall, on or before June 15 of each year, issue the organization a certificate stating that the organization is a qualified youth character organization council.
    - (ii) If the division determines that an organization that files an application with the division under Subsection (3) is not a youth character organization council, the division shall provide the organization written notice stating the reasons for its determination.
- (5) On or before July 1 of each year, the division shall make the distributions required by this section to each qualified youth character organization council as follows:
  - (a) the division shall, for each qualified youth character organization council, calculate a percentage:
    - (i) the numerator of which is the youth membership of the qualified youth character organization council; and
    - (ii) the denominator of which is the total youth membership of the qualified youth character organization councils;
  - (b) the division shall, for each qualified youth character organization council, calculate an amount by multiplying the percentage the division calculates under Subsection (5)(a) by the lesser of:
    - (i) the amount the Legislature appropriates to the division from the account for the fiscal year; or
    - (ii) the balance in the account as of June 1 of that year; and
  - (c) the division shall distribute the amount the division calculates under Subsection (5)(b) to each qualified youth character organization council.

Enacted by Chapter 338, 2013 General Session